

The Absurdity of Making Prisons Attractive to Criminals

The Duke of Manchester
Explains the Benefits to
Society of Making the Criminal
Suffer in Proportion to His
Villainy Instead of Turning
Prisons Into "Havens of Rest"



A Group Including Murderers, Burglars and Other Criminals Amid Pleasant Surroundings in Sing Sing, Knitting Ladies' Sweaters and Doing Other Fancy Work. The Duke of Manchester Regards This as an Illustration of the Error of "Making Prison Pleasant."

By His Grace the Duke of Manchester

IS society allowed to protect itself against criminals? And if so, what is the best and most humane method? I fear I have not the sympathy for the criminal that many Americans appear to have.

I believe in the old-fashioned idea that criminals ought to be made to suffer for their crimes. The new idea that a prison should be made a pleasant place of rest and gentle reform—a special sort of a country club—seems to me pernicious. It is punishment that deters most people from committing crimes, and the punishment should be made severe enough to be a deterrent. A pleasant "punishment," it is obvious, can only lead to increase in crime.

It may be inherent British prejudice, but I must say that our system approaches more nearly my idea of perfection than even the present American system, let alone what some people, such as Dr. A. Warren Stearns, say that penologists consider is the right method of treating prisoners. According to him about 90 per cent of convicts should be put in hospital and doctored!

First of all let us take it as an axiom that society may protect themselves. I believe even that is disputed, but I think the majority, at any rate, will agree. Then, we can safely go on to see what measures they should take.

Dr. Stearns's method is apparently to take the criminal when caught, put him in a nice cheerful hospital and say: "Now just stay here quietly, and be fed up and rest till you get bored, and then all you will have to do is to say, 'Please teacher, I'm good now,' and you will be allowed to go without a stain on your character."

The other method is to admit that prison should have a two-fold object—that of supplying a place where the criminal is, for a greater or less period, where he can do no harm, and, second, something the prospect of which should act as a deterrent to him and other possible criminals.

It is true that I would discriminate very carefully between the first offender and the habitual criminal. The British Judicial Code provides for that with the Borstal system.

I would also grade the sentences according to the crime, using far more severity against those who committed crimes of violence than those who committed crimes against property only. But within those limits I would make a prison a place which would be far from a haven of rest for the criminal.

Of course, the prison reformer will retort that punishment is not a deterrent and will point out that crime continued in spite of the harsh prison laws of old days. That I believe to be due to the uncertainty of detection, and not to want of proper respect for prison. The criminal was willing to take a chance of escaping detection and if he lost he put up with the consequences as best he might, but he did look on it as losing.

If, however, you substitute a hospital for prison you will be in most cases providing the criminal with a reward for his villainy in the shape of better and more attractive quarters than his own home and better food—a very premium on crime. And a better home and better food than the majority of honest people have—thus founding a basis of unrest that drives honest folk to lawlessness to secure what the State denies them while they are honest.

To say that punishment has no effect is untrue and absurd. The garroters in London were never put down till the cat-o'-nine tails was employed and the mere threat of its revival stopped the hooligan outbreak a few years ago.

I do not for a moment suggest, of course, brutality for

How the Cat-o'-Nine
Tails Is Inflicted
in English Prisons
on "White Slavers"
and the Most
Brutal Criminals.
This Method Is
Said to Have Had
a Repressive Effect
on These Vile
Offenders.

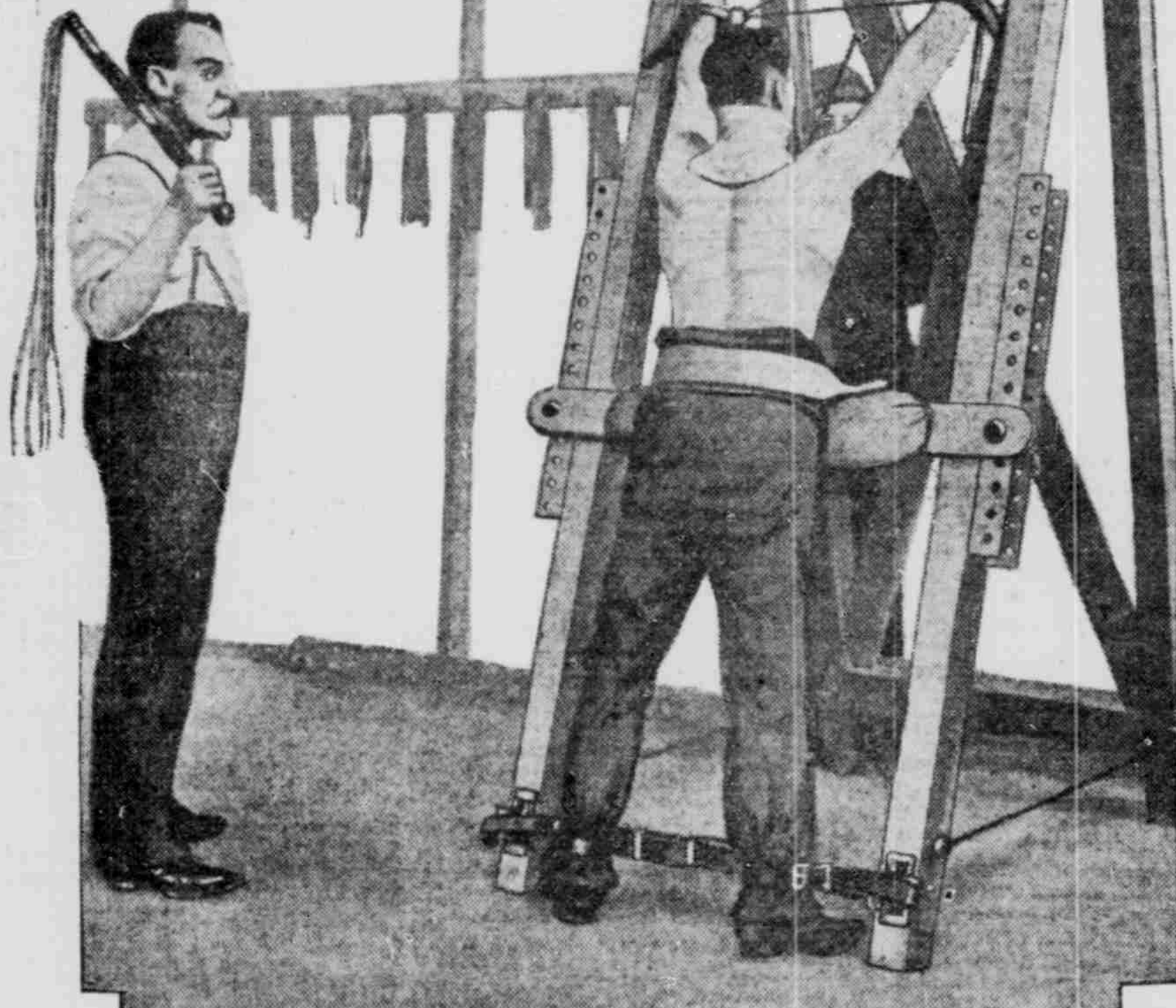


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The Duke of Manchester
in Army Uniform.

newspaper accounts, it had become more or less an immoral club of a luxurious order, with an entrance fee consisting of a crime against the people of New York State.

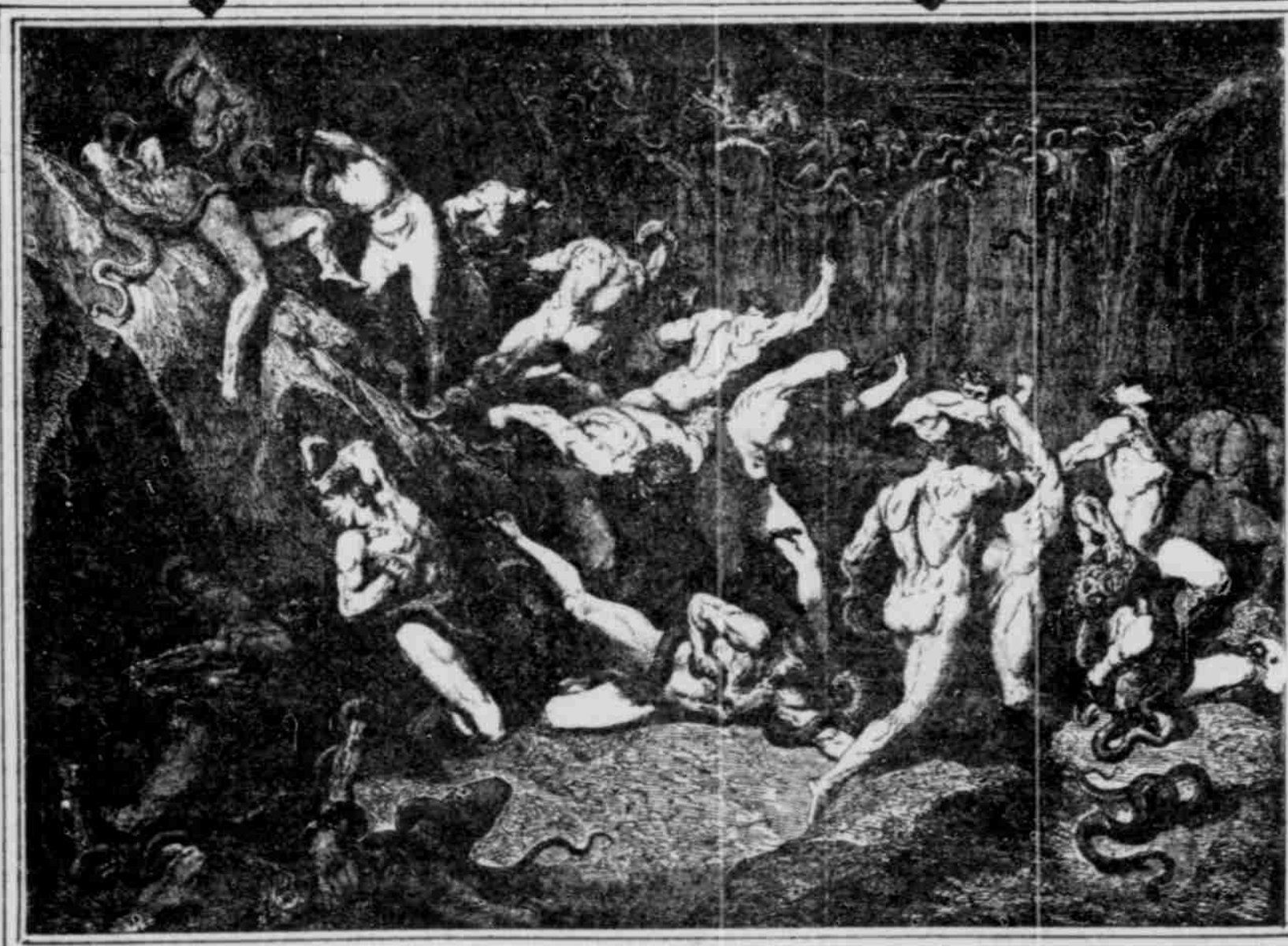
To read of twenty-one criminals being tried before a court of fellow criminals, in the death-house of a prison,

criminals, but I do advocate stern discipline, plain food, hard work and no amusements.

Look where prison reform, so called, has led in the case of Sing Sing. So far as one can make out from

because the chapel, the usual place of trial, was too frequented by visitors; that they should be tried for crime committed within the prison, found guilty, and sentenced to—loss of club privileges, sounds like a crazy nightmare or the ravings of an asylum novelist! When you add that it was very seriously contested as to whether a prison guard was present or not, with the natural inference that their social gatherings were habitually not supervised, one's imagination staggers at the suggestion that it was a prison at all. It sounds as if the walls and guards were used not for the purpose of keeping the prisoners in, but to keep out the unlearned. And how can men who are serving sentences because they have demonstrated that they neither know nor respect the law, sit in judgment over one of their own kind?

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The Punishment of Robbers After Death, as Described in Canto XXIV of Dante's Inferno, Showing the Old Conception of Crime and Punishment. From the Engraving by Gustave Dore.

This is a fine object lesson in the results of relaxing prison discipline. Substitute nurses for guards; take away, as Dr. Stearns suggests, the power to punish infractions of what little discipline remains and a prison, I mean a hospital, would be a fine place to cure moral obliquities! How long would an asylum go on if discipline, and strongly enforced discipline, were removed? How long would it take before there would be a copy of Poe's "Doctor Tarr and Professor Feather?" Not more than a week, I am sure, if as long.

To read Dr. Stearns's article of December 19, 1915, and the account of the Osborne trial on March 14, 1916, provides a study in theory and practise which is wonderfully illuminating. I feel sure that Dr. Stearns will answer that the prisoners were not properly sorted out and under proper medical supervision. Doctors invariably have great faith in medical supervision.

But can they cure epilepsy when they do sort it out? Can they cure insanity so that they can guarantee the public against a recurrence? Can they do more than temporarily remove the desire for drink from the alcoholic case? I don't believe it and at best the system he advocates does not attempt to deter. I admit that for normal intelligences there may be other remedies than punishment for crime, but the penologist's whole theory is that some ninety per cent of criminals have subnormal minds either naturally or caused by the use of drugs or drink, which usually originates from the same thing, weakness of intellect.

Now in low orders of intelligence the surest appeal is to the physical feelings, and, in primitive communities to argue instead of strike is interpreted, not as mercy, but as weakness, to be treated with contempt and insubordination.

The Amir of Afghanistan, when he was in India, had a review held in his honor at Agra. There were about thirty thousand English troops on parade and everything passed off splendidly; yet the Amir's face grew angrier and angrier and when the whole thirty thousand advanced in line at the end, he hurried to his carriage and drove off to the nearest telegraph station. His suite, meanwhile, looked panic stricken. At the station he dispatched a telegram to Cabul and came out looking better.

I afterward became friendly with him and one day asked him about the whole episode. He then told me that his commander-in-chief had been sent abroad before to report on the British army, and, in the usual Oriental way, had said it was no good and not to be compared to the Afghan army. This had had the desired effect of pleasing the Amir at the time, but when he saw a portion of our troops for the first time himself he was furious and sent off a wire to Cabul to order the General's mouth to be sewn up with wire!

As he naively explained, "He shall have no chance to lie twice to Suraj u Mulloch u Din."

Before I left India I found out that the Amir was really a kindly man at heart, yet his punishments to his subjects were sometimes ferocious. I asked him why this was and he told me that he hated having to do it but that his life would not be worth a week's purchase if he didn't. Some of his predecessors had tried being merciful and the Afghans merely thought them weak.

"In Afghanistan," he said "we now see that men sin but once if they are caught. It is only the hope of not being caught tempts them to sin at all."

His Majesty had learned how to deal with the subnormal intellect.

Needless to say, I am not suggesting mouth sewing for liars in the western countries, because I believe the wire supply would give out, but it gives an allegorical suggestion of dealing firmly with subnormal intelligence.

On the other hand, of course, a certain amount of trust is not misplaced with some types of criminals. I was met by a boat manned by two trustees alone when I went to visit the Louisiana State farm, but they had only a few months to serve and were very exceptional types of criminals to start with. One had killed a man in a fight and the other was also a first, and, I feel sure, only time offender.

Also I remember in Spain having a man pointed out to me in a cafe who was to be executed in the morning and was let out on parole for the evening to say good-bye to his family. He went back at the appointed hour.

Next week the Duke of Manchester will write on "The Necessity of Luxuries."